

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Edward Silver et al.)	
)	
SERIAL NO.:	10/784,383)	ART UNIT:
)	2612
FILED:	February 23, 2004)	
)	EXAMINER:
FOR:	SYSTEMS AND METHODS FOR)	Blount
	IDENTIFICATION OF LOCATIONS))	

Via EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR PRE-APPEAL BRIEF CONFERENCE

In response to the Final Office Action mailed May 9, 2011, and in conjunction with the concurrently filed Notice of Appeal, Assignee requests a Pre-Appeal Brief Conference in view of the following remarks.

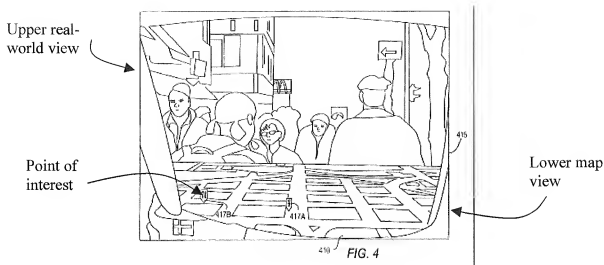
REMARKS

In response to the final Office Action dated May 9, 2011, Assignee respectfully requests reconsideration in a Pre-Appeal Brief Conference based on the following remarks. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claims 12, 13, 17 and 19-21 were rejected under 35 U.S.C. § 103 as being unpatentable over Yokota in view of Bide and Hakala. This rejection is traversed for the following reasons.

Claim 12 recites “providing a view of surroundings to a user device worn by the user in response to a position and orientation of the user, the view provided to the user device being the same user view as if the user were not wearing the user device; determining a location in the view by determining the location in the view to be within a specified distance from the user and within an orientation of the view vis-a-vis the user orientation . . . displaying identification information relating to the target data corresponding to the location on the view of the user surroundings to the user” (emphasis added).

In applying the references, the Office Action cites to Hakala as disclosing providing identification information when a user comes within range of a location, and cites the point of interest in Hakala as corresponding to the claimed identification information. Hakala provides two “views” to the wearer of the device. Figure 4 depicts an upper view and a map view, divided by a horizon line 415. Hakala discloses the points of interest on **the map view**, as shown in Figure 4 and disclosed in column 12, lines 8-22. Figure 4 is presented below for ease of reference.



The points of interest displayed in Hakala based on distance to the user are not displayed on a realistic view of the user, but rather are displayed on the map view. Claim 12 recites that the identification information is displayed “on the view of the user surroundings” and that the view of the user surroundings is “the same user view as if the user were not wearing the user device.” Hakala does not display the points of interest on the upper view of Figure 4.

If the “points of interest” in Hakala were incorporated into Yokota, the result would be presenting points of interest in a map view as disclosed by Hakala. This is contrary to claim 12, which recites “determining a location in the view by determining the location in the view to be within a specified distance from the user”, where the view is the “same view as if the user were not wearing the user device.” The map view of Hakala is not the “same view as if the user were not wearing the user device.” The map view in Hakala is an additional view to the person’s field of view (See Abstract of Hakala). As such, even if Yokota in view of Bide and Hakala are combined, the features of claim 12 do not result.

For at least the above reasons, claim 12 is patentable over Yokota in view of Bide and Hakala. Claims 13, 17 and 19-21 are dependent on claim 12 and are patentable over Yokota in view of Bide and Hakala for at least the reasons advanced with reference to claim 12.

In view of the foregoing, it is respectfully requested that the outstanding rejections be withdrawn and that a Notice of Allowance be issued. If the Examiner believes that a telephone conference with Assignee's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Assignee's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

If any extensions of time are required under 37 C.F.R. 1.136, Assignee hereby petition for such extensions of time and authorize any extension fees to be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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